

## **REMARKS**

Claims 1-5 and 7-20 are currently pending in the present application. Claims 1, 2, 4-9, 12, 14-16 and 18-20 have been rejected and claims 3, 10, 11, 13 and 17 have been objected to by the Examiner.

### **Allowable Subject Matter**

The Examiner indicates that claims 3, 10, 11, 13, and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the rejected base claim and any intervening claims. By this amendment, Applicants are adding the allowable subject matter of claims 3, 10, 11, 13 and 17 rewritten in independent form as new claims 21 through 25.

### **Objections**

The Examiner objects to informalities with respect to claims 3, 10, and 18 and has suggested amendments to correct the informalities identified. Claims 3, 10 and 18 have been amended to overcome the objections raised by the Examiner.

### **Reply to 35 U.S.C. 102 Rejections**

The Examiner has rejected claims 1, 2, 4, 5, 7 thru 9, 12, 14 thru 16 and 18 through 20 under 35 U.S.C. 103 (b) as being anticipated by newly cited reference Vogt et al. (U.S. patent 5,399,455).

With respect to claims 1, 8 and 15, the Examiner asserts that Vogt et al. clearly show and disclose a band edge amplitude reduction system for a radio receiver and method of using at least one filter to receive signals from an antenna and changing, by means of a comparison and control means, filtering characteristics on a main signal path as a function of at least one amplitude on another signal path, and other elements of claims 1, 8 and 15.

Applicants respectfully disagree with the Examiner's characterization of Vogt and its application to claims 1, 8 and 15 of the present invention. Vogt et al. is directed to a method of adjusting bandwidth in a mobile radio receiver to an optimum level by continuously comparing a first signal level, upstream of a bandpass filter to a second signal level downstream of the bandpass filter, to derive a difference value representative of adjacent-channel interference. Vogt et al. then uses an electronically controlled selector switch to select a one of a series of filters (14<sub>1-N</sub>) whose bandwidth is sufficiently narrow to cut out the interfering broadcast signal. The method of Vogt thereby takes signal level measurements both upstream and downstream of one of a series of bandpass filters (14<sub>1-N</sub>) along a **single** signal path in which the bandpass filter resides. The signal path chosen during operation is variable and is selectively controlled by a comparison circuit (13), which positions selectors S<sub>1</sub> and S<sub>2</sub> in complimentary fashion so that they respectively connect to the input and output of one of the available bandpass filters selected by the comparison circuit (13) (See Vogt, column 2, lines 49-59). Thus a **single** path connected to the input and output of a bandpass filter is integral to the operation of the invention disclosed in Vogt.

In contrast to the method disclosed in Vogt, the present invention utilizes **two** distinct signal paths in the determination of filtering characteristics. In the present invention a received signal is received along a main signal path (40). A coupler (42) provides a replica of the RF analog signals that exist on main signal path 40 to a band edge detection path (18) which routes the replicated signal to band edge detection circuitry (20). The band edge power detection circuitry (20) measures at least one amplitude, such as power level, for bandwidths adjacent to or at the edges of relative to the operating frequency band and/or from signals not under the control of the receiver (10). As a function of the rogue, unwanted or interfering amplitudes, processing circuit (22) provides signals to change the filter characteristics of variable filter 24 which is located on main signal path (40) to attenuate the amplitude, or interference at the band edges of the frequency band of operation (See specification pages 4-5).

In this manner, the present invention utilizes **more than one** signal path in its determination of the appropriate filter characteristics to apply. The present invention first uses a separate signal path (18) not under the control of the receiver (10) to measure the interference the system is being subject to and then adjusts a variable filter (24) located in the main signal path (40) accordingly. This method is clearly recited in claims 1,8, and 15 and is not taught by Vogt. Vogt clearly relies on measurements taken in a **single** signal path, upstream and downstream of a filter placed in that path, to determine whether an adjustment in filtering characteristics should be made. The present invention, in contrast, utilizes a **separate** signal path for measurement of interference and accordingly modifies a variable filter in the main signal path. Accordingly, Vogt et al. does not anticipate claims 1, 8 and 15 of the present invention and these claims are allowable.

With respect to claims 2 and 9, the Examiner asserts that these claims are also anticipated by Vogt et al. Applicants respectfully disagree with the Examiner and contend that claims 2 and 9 are not anticipated by Vogt et al. and that claims 2 and 9 are allowable at least by virtue of their dependence on allowable claims 1 and 8 discussed above.

With respect to claims 4,16, 18, 5, 12, 19, 7, 14 and 20, the Examiner contends that these claims are anticipated by Vogt et al. Applicants respectfully disagree with the Examiner for the same reasons discussed above with respect to claims 1, 8 and 15 and claims 2 and 9. Accordingly, Applicants contend that claims 4, 16, 18, 5, 12, 19, 7, 14 and 20 are not anticipated by Vogt and should be allowed.

#### **Request for Reconsideration pursuant to 37 CFR 1.111**

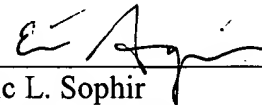
Having responded to each and every ground for objection and rejection in the Office Action mailed on April 29, 2004, Applicant requests reconsideration in the instant application pursuant to 37 CFR 1.111 and requests that the Examiner allow claim(s) 1-5 and 7-25 and pass the application to issue. If there is any point requiring further attention prior to allowance, the Examiner is asked to contact Applicants' counsel who can be reached at the telephone number listed below. Please charge the fee of \$172.00

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for two additional independent claims to our deposit account No. 50-0653, and reference Attorney Docket No. 29633.042600. If there are any additional fees due, please charge any such fees to our deposit account No. 50-0653 and reference the attorney docket number listed above.

Respectfully,

Date: July 29, 2004

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